

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF VIRGINIA

CRIMINAL MINUTES - ARRAIGNMENT AND PLEA

Case No. 3:07-cr-00022-001

Date 7/20/07

U.S.A. vs. David Emanuel Cheek, Jr. #2

Counsel Fred Hebllich #3

1. (☒) present (☒) custody () bond () age(☒) present () retained (☒) appointed

Counsel

2. () present () custody () bond () age

() present () retained () appointed

Counsel

3. () present () custody () bond () age

() present () retained () appointed

Counsel

4. () present () custody () bond () age

() present () retained () appointed

PRESENT: HON. B. Waugh Crigler #1

, JUDGE

USPO: Tammy Wellborn

Joyce Jones

FTR Recording

Ray Fitzgerald #4

Deputy Clerk

Court Reporter

Asst. U.S. Attorney

PROCEEDINGS:

☐ Waiver of Indictment filed ☐ Information filed ☐ Waived Appt. of Counsel☐ Arraignment and plea continued to _____☐ Juvenile Information filed with Certificate of U.S. Attorney that State Court refuses jurisdiction☒ Defendant states that true name is David Emanuel Cheek, Jr. Given COPY Indictment (Information)☐ Defendant waives reading of Indictment-Information ☐ Indictment-information read☒ Defendant is ARRAIGNED and specifically advised of his rights, pur: Rule 11 F. R. C. P.☐ Defendant moves to CHANGE PLEA ☐ Court grants motion☐ Plea Agreement filed with/stated to Court☐ Defendant is re-arraigned as to Ct(s) _____☐ Continued for plea to _____☐ Court questions defendant regarding his physical and mental condition, and advises defendant of the nature and possible consequences of said plea☐ Court _____ plea of _____☐ Guilty Plea form executed and filed☐ Government _____ evidence to support plea and rests Witness: _____☐ Court finds defendant guilty as charged in Ct(s) _____DEFENDANT PLEADS:

	G	NG	NOLO	DISMISSED ON MOTION OF U.S.A.
1.		all counts		
2.				
3.				
4.				

(list counts)

☐ Assigned for hearing on pending motions on _____☐ Assigned to calendar of Judge _____ for all further proceedings.☐ Trial set for _____
() Jury () Non-jury☐ Continued to _____
for setting for trial☐ Court received Presentence Report.☐ Copy of Presentence Report not requested.☐ Court orders Presentence Report.☐ Copy of same furnished to counsel.☐ Defendant to remain on bond.☒ Defendant remanded to custody.

Case continued until _____ at _____ for sentencing.

Time in Court: 9:48-9:54; 10:18-10:22=10 min.

Initial appearance and Arraignment:

Defendant present in custody.
Court obtains personal identifiers.
Court goes over charges, rights and penalties.
Defendant requests court appointed counsel.
Court goes over financial information from CJA23.
Court will appoint Fred Heblich.
Defendant pleads Not Guilty to all counts.
There is no request for bond at this time.
Government moves for detention.
Defense requests bond hearing. Bond hearing set for July 23, 2007 at 9:15 a.m.
Court enters Order of Detention.
Defendant remanded to custody of U. S. Marshal.